

## **REMARKS/ARGUMENTS**

The specification has been amended to remove an artifact of drafting. Claim 1 has been amended to incorporate the limitations of claim 2 and 4, which have been canceled, to refer to the assembly of sashes as being in combination with sliding glass doors, to clarify the structure of the sashes, that the sashes are in horizontally sliding overlapping relationship, and that at least one of the investitures is a shutter. Claim 3 has been canceled as it was directed to the above artifact. Claims 9 and 10 have been amended to refer to claim 1. Claim 19 has been amended to better define the structure of the front sash and to require that at least one of the investitures is a shutter. Claims 13 and 19 have been amended to refer to the assembly, header, and sliding glass doors as being in combination. Claim 27 has been added combining the limitations of original claims 19 and 24 into an independent claim and claim 25 has been amended to depend from claim 27.

The rejection of claims 12 – 14 and 19 – 26 under 35 U.S.C. § 112, second paragraph as being indefinite is believed obviated by the amendment to claim 1 incorporating the limitation from canceled claim 2 calling for means for suspending the front and rear sashes, and by the amendments to claims 13 and 19 clarifying that the header and sliding doors are being claimed in combination with the assembly.

The rejection of claims 1, 4, 8 and 15 under 35 U.S.C. § 102(b) as being anticipated by Davis et al. is respectfully traversed. Davis et al. has no mechanism for suspending sashes. Moreover, claim 4 has been amended to call for the front sash opening to be smaller than the dimensions of the investiture secured therein. Accordingly, claim 15 clearly defines a double frame sash not disclosed or suggested by Davis et al. In addition, claim 1 calls for at least one of the investitures to be a shutter, which is not only not contemplated by Davis et al., but is inconsistent with the Davis et al. sliding structure.

The rejection of claims 1 - 5, 12 and 15 – 18 under 35 U.S.C. § 102(b) as being anticipated by Boswell is respectfully traversed. Claim 1, and claim 12 by dependency, call for a combination of sliding glass doors and the assembly of sashes, the sashes being disposed in front of the inside surfaces of the sliding glass doors, whereas Boswell is directed to storm shutters for the protection of the exterior surfaces of the windows. Claims 5 and 15 – 18 additionally call for the front and rear sides of the front sash to define an

opening of predetermined height smaller than the height of the investiture secured in the sash, a feature not disclosed by Boswell.

The rejection of claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Davis et al. is respectfully traversed. Claim 1, from which claim 15 depends, calls for the front and rear sides of the front sash to define an opening of predetermined height smaller than the height of the investiture secured in the sash. Claim 15 calls for an additional frame not disclosed or suggested by Davis et al., indeed a structure that is quite foreign to Davis et al.

The rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Davis et al. in view of Schnoor, to the extent it is applicable to claim 1 which incorporates the limitations of canceled claim 2, is respectfully traversed. Schnoor, as does Davis et al., relates only to a sliding screen door and therefore has nothing to do with the provision of at least one shutter as an investiture.

The rejection of claims 13, 14, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Boswell in view of Davis et al. is respectfully traversed. Neither reference suggests means for securing at least one shutter on the inside of sliding glass doors. Nobody would think of placing Boswell's storm shutters inside glass doors as they serve only to withstand high impacts; indeed, Boswell specifically describes his shutters as "for use on exterior wall openings" (column 1, lines 14 – 18). Moreover Boswell's shutters are not slideable, so there is no incentive to substitute if for the Davis et al. screen.

The rejection of claims 1 and 6 – 11 under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of Howard. There is nothing in Howard that suggests incorporating his blinds into the structure of Bakalar except Applicants' specification, nor is there any structure in Bakalar that would permit it.

The rejection of claims 19 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Davis et al. in view of Schnoor, further in view of Lilie et al., is respectfully traversed. Lilie et al., as does Schnoor, as does Davis et al., relates only to a screen door and therefore has nothing to do with the provision of at least one shutter as an investiture.

The rejection of claims 15 - 18 under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of Howard, is respectfully traversed. Neither Bakalar nor Howard discloses or suggests a front frame.

The rejection of claims 1 – 3, 6 – 11 and 15 - 18 under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of Schaller is respectfully traversed. There is nothing in Schaller that suggests incorporating his blind into the structure of Bakalar except Applicants' specification, nor is there any structure in Bakalar that would permit it.

The rejection of claims 19 - 22 under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of Howard and Schaller further in view of Boswell, is respectfully traversed. There is nothing in Howard, Schaller or Boswell that suggests incorporating their shutter or blind into the structure of Bakalar except Applicants' specification, nor is there any structure in Bakalar that would permit it.

The rejection of claims 19 - 22 under 35 U.S.C. § 103(a) as being unpatentable over Bakalar in view of Schaller further in view of Boswell, is respectfully traversed. There is nothing in Schaller or Boswell that suggests incorporating their shutter or blind into the structure of Bakalar except Applicants' specification, nor is there any structure in Bakalar that would permit it.

The Examiner is thanked for stating that claims 24 – 26 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph and to include all the limitations of the base claim and any intervening claims. Claim 24 has been so rewritten as claim 27 and claims 25 and 26 now depend directly or indirectly therefrom.

Since the cited prior art references do not teach or suggest any of Applicants' claims, it is respectfully submitted that all the claims in condition for allowance. A Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge payment of any fees required associated with this communication or credit any overpayment to Deposit Account No. 50-0337. If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0337. A duplicate copy of this paper is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert Berliner', with a large, sweeping loop at the end.

Robert Berliner  
Registration No. 20,121

August 12, 2005

Telephone: (213) 892-9237

Facsimile: (213) 892-9494